

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Eric Rose
 Appl. No. : 09/836,855
 Filed : April 16, 2001
 For : METHODS AND APPARATUS
 FOR VOICE ACTIVATED
 AUDIBLE ORDER SYSTEM
 Examiner : Rajesh Khattar
 Group Art Unit : 3627

CERTIFICATE OF EFS WEB TRANSMISSION

I hereby certify that this correspondence, and any other attachment noted on the automated Acknowledgement Receipt, is being transmitted from within the Pacific Time zone to the Commissioner for Patents via the EFS Web server on:

November 30, 2007

(Date)

Lauren Keller, Reg. No. 56,553

DECLARATION OF LOUIS J. KNOBBE PURSUANT TO 37 C.F.R. § 1.131**Mail Stop Amendment**

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

This declaration is to establish due diligence from at least prior to March 24, 2000 until April 14, 2000 in filing the above captioned patent application.

I, Louis J. Knobbe, do declare as follows:

1. I co-founded the law firm of Knobbe Martens Olson & Bear, LLP in 1962. Since that time I have served as an attorney at said law firm.

2. I have reviewed the provisional application to which the captioned patent application claims priority, and I am the attorney who prepared said provisional application.

3. Attached as Exhibit A is a true and correct copy of one page of written description and two pages of drawings that I received as an attorney for Taco Bell Corp. The document is dated March 12, 2000, and I received said document prior to March 24, 2000.

4. Attached as Exhibit B is a true and correct copy of a summary of documents relating to the preparation of the provisional application that I prepared for the invention described in Exhibit A.

5. On or about the time I received the document attached as Exhibit A, Taco Bell Corp. engaged my services to prepare a provisional application for the invention disclosed in the

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document. The captioned patent application claims priority to the provisional application that I prepared for the invention described in Exhibit A.

6. At least as early as March 23, 2000 I had an active docket that included a reasonable backlog of unrelated cases that predated Taco Bell's request to prepare a provisional application. During the relevant time period I often experienced a backlog of cases to be completed. My usual practice when confronted with such backlogs was to diligently work on the cases in chronological order. I have no reason to believe that I acted in another manner between March 23, 2000 and April 14, 2000.

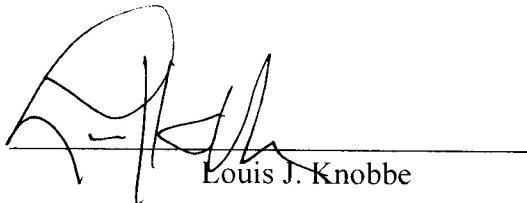
7. I or others working on this application at my direction worked on this application for four (4) hours on April 1, 2000, for three and three tenths hours (3.3) on April 3, 2000, for one (1) hour on April 4, 2000, for two and three tenths hours (2.3) on April 5, 2000, for a half (.5) hour on April 6, 2000, and for one tenth (.1) of an hour on April 14, 2000. This time is reflected in invoices that Knobbe, Martens, Olson & Bear, LLP sent to Applicant for payment.

8. During the relevant time period my usual practice was to promptly and diligently forward prepared provisional applications to my client for review, to make prompt revisions upon request, and to promptly file an application approved by my client. I have no reason to believe that I acted in another manner between March 23, 2000 and April 14, 2000.

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon.

Dated: November 30, 2007

By:



Louis J. Knobbe

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Exhibit A

Voice Operated Audible Order System

Abstract:

The Voice Operated Audible Order System is an interface that translates text based order information from a Point of Sale (POS) device into an audible list using either a pre-recorded voice or an off-the-shelf voice generator. The list is held in computer memory and is parsed through by an operator on a full duplex wireless headset using verbal commands. As the command for the next order is given, the computer replies by transmitting over the wireless system the next item ordered, including quantity. The operator can have the item repeated or move backward and forward through the list. The system will allow the operator to be physically located anywhere on the production line without being required to go to a "home base" to get the next item ordered that must be prepared or built.

Background of the Invention:

The present invention replaces a monitor currently mounted in a fixed location. The orders are placed on the monitor in a FIFO basis, with longer words abbreviated to fit. The monitor's fixed position requires the operator to be in a "home" position in order to view it. The abbreviations cause confusion to new employees. The orders on the monitor that are in the queue provide extra information that is not pertinent to the order at hand except to tell the operator that more work is coming. The invention allows the operator to overcome all these issues which should increase their productivity. The wasted activity of going to "home" position, viewing the monitor, finding the last entry read, interpreting abbreviation and then bumping the order off the screen when completed are eliminated.

Summary of the Invention:

The Voice Operated Audible Order System will interpret voice commands from a user to parse through a memory file. The memory file is filled with quantity and order information that is sent over a network in condensed fashion. The module translates this information and converts it to speech, which is in turn sent over RF to the user.

Brief Description of the Drawings:

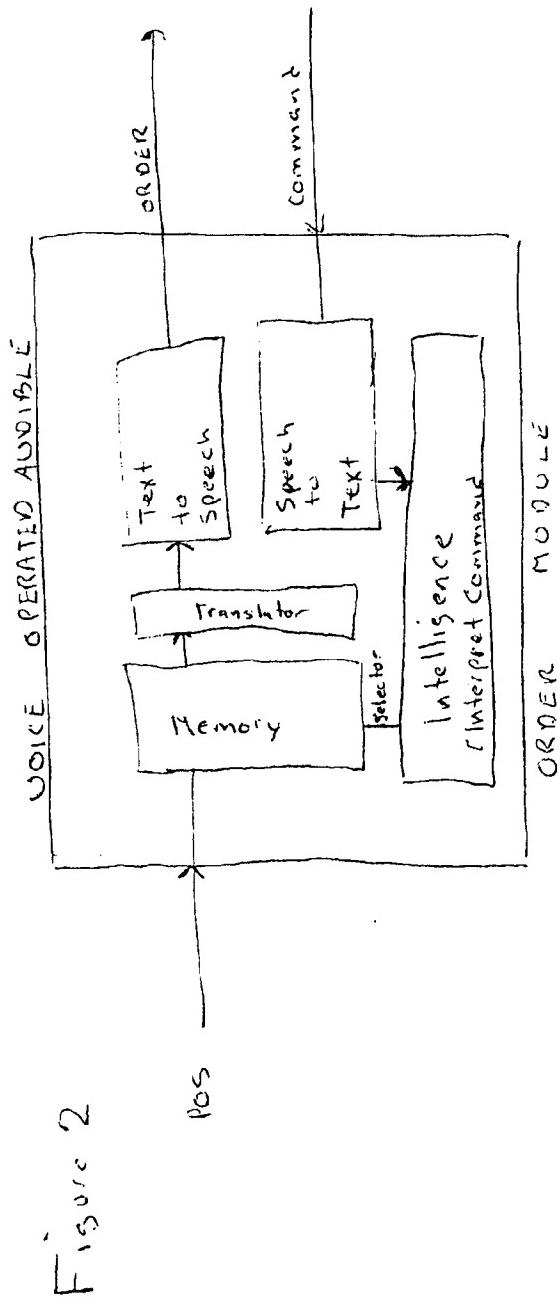
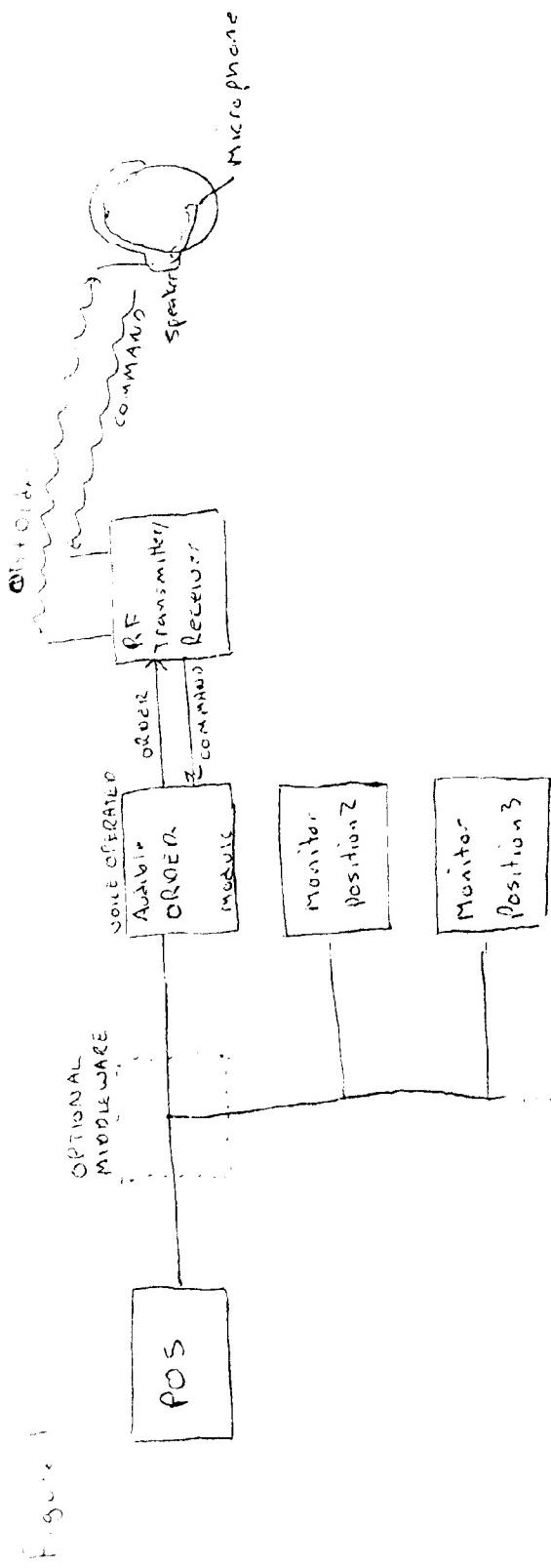
FIG. 1 is a block diagram of Voice Operated Audible Order Module connected to the Point of Sale (POS) and the RF system. The optional "middleware" may pre-interpret where the POS signal goes.

FIG. 2 is a block diagram of the Voice Operated Audible Order System. The POS information goes into memory. The intelligence selects which order item to convert from text to speech and transmit to the operator based on the voice command from the operator after it has been translated into text. The translation table changes the abbreviated information into usable language.

FIG. 3 is a block diagram of the memory. The POS information goes into the next available memory slot, overwriting old information in a circular fashion as the memory overfills. The memory is parsed using the selector.

Detailed Description of the Invention:

For a better understanding of the invention, the voice operated audible order system will be described below. Orders are entered into a POS system (Figure 1). The order is sent over a network and stored in the Audible Order Module Memory (Figure 2). The operator or user who assembles the order speaks a voice command into the microphone which is sent via RF to the receiver. The command then goes to a speech to text converter (Figure 2), which can then be interpreted by the intelligence. The intelligence is basically allowing the user to parse through the memory (Figure 3) by moving a pointer to the item the user wants to hear. This item is then sent to the translator (Figure 2) where the compressed information is expanded. This expanded information is then sent to the text to speech converter before being transmitted to the user over the same headset which initiated the command.



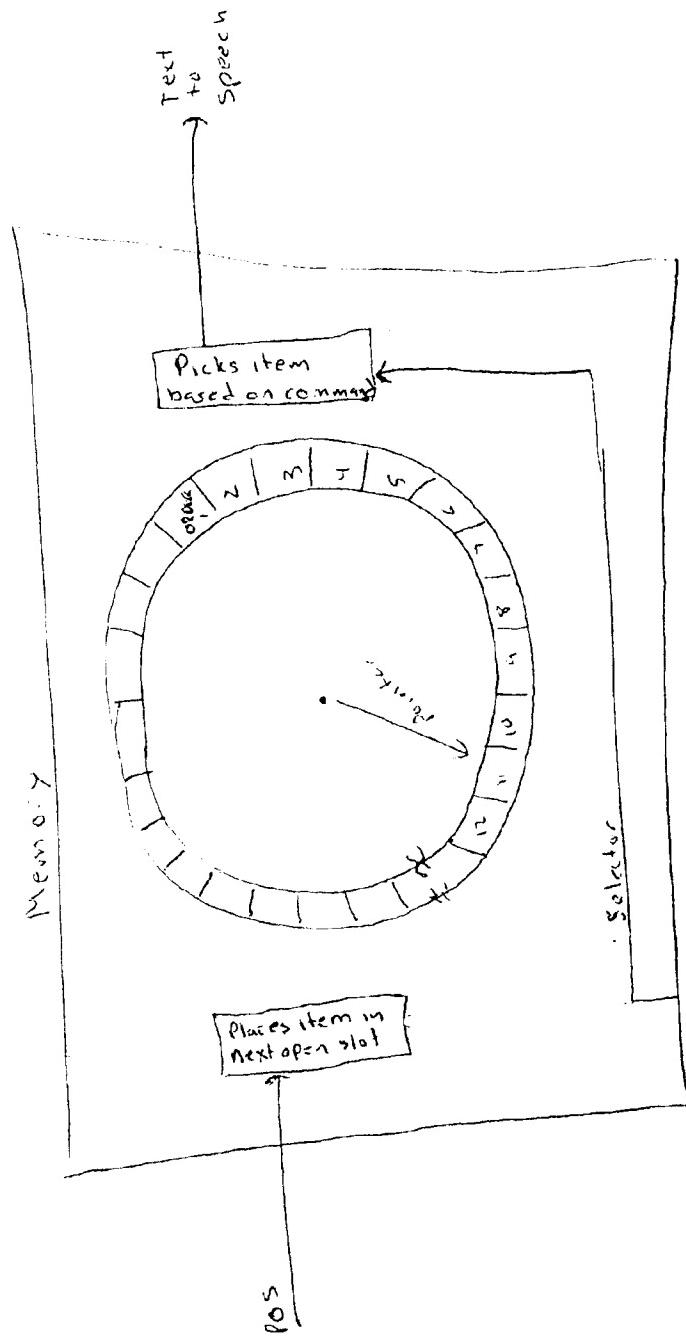


Figure 3

EXHIBIT B

Summary of Documents Cited Subject to Attorney-Client Privilege

| | | |
|-----------------------|-----------|--|
| Privileged Document 1 | Letter | To: Louis J. Knobbe From: Joyce L. White (Associate Manager of Intellectual Property) Date: March 15, 2000 |
| Privileged Document 2 | Letter | To: Joyce L. White From: Diane Peldo (Assistant to Louis J. Knobbe) Date: March 17, 2000 |
| Privileged Document 3 | Facsimile | To: Louis J. Knobbe From: Joyce L. White Date: March 28, 2000 |
| Privileged Document 4 | Facsimile | To: Joyce L. White From: Louis J. Knobbe Date: April 6, 2000 |
| Privileged Document 5 | | Attorney Records of Time Billed on this Matter |
| Privileged Document 6 | | Attorney Records of Time Billed on Related Matter |
| Privileged Document 7 | | Attorney Records of Time Billed During Relevant Time Period |